

Order

Michigan Supreme Court
Lansing, Michigan

March 20, 2009

Marilyn Kelly,
Chief Justice

136926
& (65)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

DANIEL HOWE,
Plaintiff-Appellant
and Cross-Appellee,

v

SC: 136926
COA: 273949
Genesee CC: 2002-073710-NH

MICHAEL BOUCREE and
FLINT NEUROSCIENCE CENTER,
Defendants,

and

BHADRABALA B. GANATRA, M.D.,
individually and d/b/a BHADRABALA B.
GANATRA, M.D., P.C.,
Defendants-Appellees
and Cross-Appellants.

On order of the Court, the application for leave to appeal the June 10, 2008 judgment of the Court of Appeals and the application for leave to appeal as cross-appellants are considered. Leave to appeal is DENIED in relation to the judgment of the Court of Appeals ordering a new trial because of misconduct by the plaintiff's attorney. As stated by the panel, the resolution of this issue renders the other appellate issues moot. Accordingly, we VACATE the remainder of the Court of Appeals judgment. The application for leave to appeal as cross-appellants is DENIED.

KELLY, C.J., would grant leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 20, 2009

Corbin R. Davis

Clerk